

DEVELOPMENT REVIEW COMMITTEE

Tuesday, June 23, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, June 23, 2015**, beginning at 1:02 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Emily Schemper, Comprehensive Planning Manager	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present

STAFF

Pete Morris, Assistant County Attorney	Present
Mary Wingate, Senior Floodplain Manager	Present
Ed Koconis, Permit Manager	Present
Tiffany Stankiewicz, Development Administrator	Present
Matt Coyle, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES FOR APPROVAL

Approval of the May 26, 2015, minutes were postponed to the next DRC meeting.

MEETING

New Items:

1.Future Investments of KW, LLC, 5582 First Avenue, Stock Island, mile marker 5: A public meeting concerning a request for an Amendment to a Minor Conditional Use Permit. The requested approval is required in order to redevelop the property with light industrial uses, office uses and affordable attached residential dwelling units. The subject property is described as a part of Square (Block) 41, McDonald's Plat also known as Maloney Subdivision (Plat Book 1, Page 55), Stock Island, Monroe County, Florida, having real estate numbers 00125420.000000 and 00125380.000101.
(File 2015-038)

Mr. Coyle presented the staff report. Mr. Coyle reported that this project will consist of one new 2,000-square-foot building of light industrial, 1280 square feet of office and four attached

residential dwelling units that will be deed-restricted as affordable housing. Mr. Coyle highlighted that the applicant will need to get four ROGO allocations to get the building permit approved. The applicant has over the amount of square feet needed for NROGO and they meet all the density requirements. Mr. Roberts asked that the applicant go back and look at the assumptions used in the calculations for stormwater to include calculating the entire disturbed area of the parcel and to double-check the calculations used for depth to ground water. Mr. Coyle stated that since the site plan was drafted an administrative variance has been approved to reduce the parking by one space. The site plan is now in compliance for the parking. Mr. Coyle noted that the scooter parking spaces were too small. Mr. Coyle suggested making the spaces bigger and decreasing the amount of scooter parking spaces. The recycling collection area of a minimum of 144 square feet needs to be identified on the site plan. Mr. Coyle stated staff is recommending approval with a number of conditions. Those 11 conditions were then outlined.

Ms. Schemper asked that before issuance of a building permit the site plan must show the bicycle rack and recycling collection area. Mr. Coyle agreed with that. Ms. Schemper then asked that the requirement for the deed restrictions be completed and recorded in the public records before receiving a CO. Mr. Coyle agreed.

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 122-3(C), RULES FOR INTERPRETING FLOOD HAZARD ISSUES; PROVIDING FOR THE INCLUSION OF COUNTY POLICY IMPLEMENTATION AND REMOVAL OF THE REQUIREMENT OF GUIDING DOCUMENTS ADOPTED BY RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-109)

Mr. Koconis presented the staff report. Mr. Koconis corrected the Monroe County Code Section referred to in the agenda item as 122-2(C). Mr. Koconis reported that County staff has been working on internal policies as well as amendments to the code to allow the County not only to remain in the NFIP, but also to be able to enter FEMA's community rating system. The proposed amendment would authorize the implementation of internal County policies to be used by the Building Official without the requirement of being formally adopted by resolution. Staff is recommending approval. FEMA in an attached letter has asked the County to enforce substantial improvements and damages by either an ordinance or amendment. Ms. Wingate added that this amendment is to have policy statements to clarify the code because of and to decrease the number of building permits being held up in the process.

3.24930 Overseas Highway, Summerland Key, Mile Marker 25 (Sender Site) State Road 4A, Cudjoe Key, Mile Marker 22 (Sender Site); 5176 Suncrest Road, Stock Island, Mile Marker 5 (Sender Site) and Oceanside Marina, 5948, 5950 and 5970 Peninsular Avenue, Stock Island, Mile Marker 5 (Receiver Site); A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the transfer of 45 Transferable ROGO Exemptions (TREs) from the sender sites to the receiver site. The sender

sites are described as Lot 55 and a portion of Lot 54, Summerland Yacht Harbor, Summerland Key, Monroe County, Florida having real estate #'s 00194741.000100, 00194741.000200, 00194741.000300, 00194741.000400, 00194741.000500, 00194741.000600, 00194741.000700, 00194741.000800, 00194741.000900, 00194741.001000, 00194741.001100, 00194741.001200, 00194741.001300, 00194741.001400, 00194741.001500, 00194741.001600, 00194741.001700, 00194741.001800, 00194741.001900, 00194741.002000, 00194741.002100 and 00194741.002200, Lot 30, Sacarma, Cudjoe, Monroe County, Florida having real estate #00174960.000000 and Lots 27 and 28, Sun Krest, Stock Island, Monroe County, Florida having real estate #00132680.000000. The receiver site is described as Block 46, Lots 30, 31 and ½ Lot 32, Block 60, portions of Lots 1, 2 and 3, Block 61, portions of Lots 1, 2 and 3, the abandoned portion of Peninsular Avenue lying between Block 46 and Block 60, the abandoned portion of Maloney Avenue lying between Blocks 60 and 61 McDonald's Plat, also described as parcel of land in Sections 26, 34, 35 and 36, Township 37 South and Range 25 East, Stock Island, Monroe County, Florida, having real estate #'s 00126210.000000, 00126220.000000, 00126230.000000, 00127420.000000 and 00127420.000100.
(File 2013-070)

Mr. Coyle presented the staff report. Mr. Coyle reported that this amendment is to transfer 45 TREs. All the requirements are met to be able to transfer these units. The units are going to be deed-restricted affordable and Legal staff has been working with the applicant to get that taken care of. Inspections have been carried out on the site. The newer units received their certificate of completion today. Staff is recommending approval to transfer the 45 units to the Oceanside property. A condition was imposed that the TDRs need to be in place for all 45 units, and that has already been completed. There were no comments or questions from staff or the public.

Frank Herrada, the applicant for Item 1, joined the proceedings. Ms. Schemper explained that their item has been heard, staff recommended approval, and that their agent, Kevin Sullivan, was present.

Bart Smith, Esquire, present on behalf of the applicant for Item 3, stated all the applicant is waiting on is the development order to be issued. Ms. Schemper replied that has been prepared and once that is signed the property owner notifications will got out, the ad will be placed in the paper, a 30-day appeal period will begin to run and then it will be rendered to DEO. Staff will keep the applicant informed as it gets rendered to DEO.

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 110-9, SUSPENSION OF DEVELOPMENT REVIEW PROCEEDINGS, ADDING PROVISIONS FOR DEVELOPMENT REVIEW CONTINGENT ON CODE VIOLATION COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.
(File 2015-111)

Ms. Schemper presented the staff report. Ms. Schemper reported that this text amendment was directed by the BOCC and asked staff to evaluate and propose amendments to this section. The current provisions of this section allow the Planning Director to postpone the processing and review of development applications for property with pending code enforcement proceedings. Per this direction by the BOCC, staff has developed an amendment that would allow the Planning Director to not just defer review of development approval entirely, but to impose conditions on development approvals requiring the subject property's compliance and resolution of outstanding code violations. Staff is proposing to add this second sentence to the code to read: "The Planning Director may suspend development review entirely for such a parcel or may choose to proceed with review of a development application, but impose conditions on such development approval, requiring resolution of outstanding code violations on the subject parcel." Staff has found this to be consistent with the comp plan and the principles for guiding development and that it is necessary based on the provisions of Section 102.158. Number 4 of the proposed amendment addresses new issues related to the increased frequency of outstanding code violations on parcels requesting development approval and, Number 5, recognition of a need for additional detail or comprehensiveness. The proposed amendment addresses the need for additional detail in the Planning Director's ability to suspend development review proceedings due to outstanding code violations. Staff recommends approval. There were no questions or comments.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 1:26 p.m.